

Panaji, 13th June, 1996 (Jyaistha 23, 1918)

SERIES II No. 11

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There are two Extraordinary issues to the Official Gazette, Series II No. 10 dated 6-6-96 as follows:

- 1) Extraordinary dated 10-6-1996 from pages 105 to 108 regarding Notifications from Department of Revenue.
- 2) Extraordinary dated 10-6-1996 from pages 109 to 110 regarding Order from Department of Urban Development (Directorate of Municipal Administration).

GOVERNMENT OF GOA Department of Agriculture

Order

No. 2/14/95-AGR

The following Group 'B' Officer of the Directorate of Agriculture is hereby transferred in public interest with immediate effect and is posted at the place shown against him in column No. 4.

Sr. No.	Name of the Officer	Present posting	Place of new posting
1.	2.	3.	4.
1.	Shri Nitin Bhakale	Asstt. Agriculture Officer, at Z.A.O., Margao.	Asstt. Agriculture Officer in the Directorate of Agriculture, Panaji.

By order and in the name of the Governor of Goa.
S. D. Sadhale, Joint Secretary (Development).
Panaji, 12th April, 1996.

Department of Animal Husbandry

Order

No. 2/2/79-AH(Vol. III)

The following transfers of Group 'A' and Group 'B' Gazetted Officers in the Directorate of Animal Husbandry & Veterinary Services, Panaji are ordered with immediate effect, in public interest.

Sr. No.	Name & Designation of the Officer	Present posting	Station to which posted
1.	2.	3.	4.
1.	Dr. Heitor Faleiro, Assistant Director	Under order of transfer to Dhat Farm, Mollem.	K. V. S., Curti, Ponda against vacant post.

1.	2.	3.	4.
2.	Dr. P. F. Aher, Veterinary Officer	Veterinary Dispensary, Honda-Valpoi.	Dhat Farm, Mollem.

The movement order of Dr. Aher shall be issued by the Director of Animal Husbandry & Veterinary Services, Panaji.

Dr. Faleiro, who has already been relieved from Veterinary Hospital, Tonca shall report to K. V. S., Curti, Ponda immediately.

By order and in the name of the Governor of Goa.

S. D. Sadhale, Joint Secretary (Development).

Panaji, 14th March, 1996.

Department of General Administration

Notification

No. 26/2/95-GA&C(1)

Read: (i) Notification No. 26/2/95-GA&C dated 21-8-95.
(ii) Notification No. 23/1/87-GA&C (i) dated 16-4-96.

In exercise of the powers conferred by Rule 5 of the Business of the Government of Goa (Allocation) Rules, 1987 and in partial modification of the notification read at (i) above, the Government hereby directs that the allocation of business of the Government relating to following Departments/subjects shall be allotted with immediate effect to Chief Secretary and Secretaries to Government as indicated below:-

Sr. No.	Department/subject	Allotted to
1.	Commerce and Economic Affairs Division	Chief Secretary (Dr. G. C. Srivastava).
2.	Elections conducted by Election Commission of India	Secretary to Government (Elections/Chief Electoral Officer) (Shri V. H. Pachuan).
3.	State Election Commission	Law Secretary (Shri B. S. Subbanna).

By order and in the name of the Governor of Goa.

Anthony Ferrao, Under Secretary (GA).

Panaji, 17th April, 1996.

Notification

No. 26/2/95-GA&C

Read: Notification No. 26/2/95-GA&C dated 21-8-95.

In the notification read above, the Department/subject "Elections including Municipal and Panchayat Elections" allotted to Shri B. S. Subbanna, Law Secretary shall stand deleted with immediate effect.

By order and in the name of the Governor of Goa.

Anthony Ferrao, Under Secretary (GA).

Panaji, 17th April, 1996.

Department of Labour

Order

No. 28/1/92-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 12th March, 1993.

IN THE INDUSTRIAL TRIBUNAL, GOVERNMENT OF GOA AT PANAJI

(Before Shri M. A. DHAVALÉ, Hon'ble Presiding Officer)

Ref. No. IT/24/92

Shri Pundalik Naik — Workman/Party I
V/sM/s Paramount Security — Employer/Party II
Services.

Workman represented by Adv. Raju Mangueshkar.

Panaji, dated: 26-2-1993.

AWARD

In exercise of the powers conferred by clause (d) of Sub. Sec. (1) of Sec. 10 of the Industrial Disputes Act, 1947, the Government of Goa, by its order No. 28/1/92-LAB dated 3rd March, 1992 has referred the following issue for adjudication by this Tribunal.

(1) "Whether the action of the management of M/s Paramount Security Services, Panaji, in terminating the services of Shri Pundalik Naik, Security Head Guard, with effect from 14-6-1989 is legal and justified?"

(2) If not to what relief the workman is entitled?"

2. On receipt of this reference, a case at No. IT/24/92 was registered and notices were served upon both the parties. In response to the show cause notice, Party I-Shri Pundalik Naik (hereinafter called as the 'Workman') appeared and submitted the statement of claim (Exb. 3) wherein it has been averred as follows:

The statement to claim has been filed by the Secretary, Goa Trade & Commercial Workers' Union, on behalf of the Workman. Party II-M/s Paramount Security Services is an Organisation which caters to the security services in several industrial undertakings in Goa. Party II provides security services to M/s London Star Diamond Co., at Corlim. The present Workman was employed as a Security Head Guard and was posted at the above named Factory at Corlim. The Workman served for about 5 years and during the tenure

of his services he had worked hard to the satisfaction of the employer and his record was clean. However, all of a sudden on 14th June, 1989 the services of the workman were terminated by Party II-Employer. He was not given one month's notice nor was he paid his legal dues. Hence, under a letter dated 18th June, 1992, the Union raised an industrial dispute before the Labour Commissioner, Panaji, Goa, a copy of the same was also addressed to the Managing Director of Party II-Employer and also to the Factory Manager of the said company, where the workman was posted. The Labour Commissioner issued notices to both the parties, but the employer did not attend and hence a failure report was submitted to the Government in response to which the Government was pleased to make this reference. It has been averred by the workman that the mandatory provisions preceding the order of termination were not complied with by the Employer nor any enquiry was held in respect of any misconduct alleged against him. Hence, he has prayed that order of termination passed should be declared as null and void and he should be reinstated with other incidental reliefs.

3. The notice of this application was served upon Party II-Employer by Hand Delivery. However, he did not bother to remain present on any of the dates fixed for his appearance. Hence, the only course open for the Tribunal was to proceed ex-parte against Party II, in accordance with the provisions contained in Rule 10-(9) (22) of the Industrial Disputes (Central Rules) 1957.

4. In support of his claim, Party I-Workman Pundalik Naik examined himself at Exb. 4 wherein he has stated that he was serving as Security Guard with Party II since 1986. He was not given any letter of appointment but his last drawn salary was Rs. 450/- p. m. The employer also used to deduct Provident Fund at 8% and in support of his contention he has produced a slip showing his P. F. No. as GOA/10090/24. His services were terminated w.e.f. 14-6-1989 without paying him his legal dues. No enquiry was held against him for any alleged misconduct and hence it has been contended that the order of termination is void ab-initio. He has further stated that after his services were terminated, he raised a dispute before the Asst. Labour Commissioner. This is evident from Exb. 6, which is a copy of the proceeding before the Asst. Labour Commissioner. It clearly shows that workman was refused employment by the employer since 14-6-89. Although, the notice of the Conciliation proceedings was served upon the Employer, still he did not bother to remain present and hence there was no settlement and a failure report was submitted to the Government, the copy of which can be found at Exb. 7. Pursuant to this failure report, the Government was pleased to refer this dispute for adjudication.

5. Now, whatever has been stated by Party I-Workman has gone unchallenged, since there was no appearance on behalf of the Employer on the date of hearing. As stated earlier, the employer remained absent throughout the proceeding of this case. If at all, the employer had any valid defence to make, then I think he could not have remained absent when the notice was served upon him personally by hand delivery. I, therefore, hold that the unchallenged testimony of the workman must be accepted in proof of his prayers. I, therefore, hold that the order of termination passed by the Employer is clearly illegal and unjust and deserves to be set aside and the workman should be given the relief of reinstatement and other monetary benefits. I, therefore, pass the following order.

ORDER

It is hereby declared that the action of the Management of M/s, Paramount Security Services, Panaji Goa in terminating the services of Shri Pundalik Naik, Security Head Guard, with effect from 14-6-1989 is not legal and justified and hence the same is set aside and Party II-Employer is hereby directed to reinstate Party I-workman with continuity of service and full back wages and other incidental reliefs.

No order as to costs. Government be informed.

M. A. DHAVALÉ,
Presiding Officer,
Industrial Tribunal.

Department of Planning

Notificação

No. 2/5/93-95/PLG(PB) (Part)

- Read: 1. Government Notification No. 2/5/93-95/PLG (PB) dated 12-6-95, 8-8-95 and 24-1-96.
2. Government Notification No. 2/5/93-95/PLG (PB) (Part) dated 31-1-1996.

In partial modification of the Government Notification No. 2/5/93-95/PLG(PB) (Part) dated 31-1-1996, Government of Goa, on the recommendation of the Planning Board Sub-Committee on Human Resource Development, is pleased to appoint an Expert Group on restructure of School Education in the State consisting of following members:—

1. Smt. Ranjana Salgaocar, Chicalim, Airport Road, Vasco-da-Gama — Member.
2. Prof. Surendra V. Sirsat, M. L. A., Mapusa-Goa — Member.
3. Prof. Suresh Amonkar, New Goa High School, Mapusa, Bardez-Goa — Member.
4. Representative of NCERT, Aurabindo Marg, New Delhi-110016 — Member.
5. Secretary (Education), Government of Goa, Secretariat, Panaji — Member.
6. Chairman, Goa Secondary and Higher Secondary Board, Porvorim — Member.

The following shall be the terms of reference of the expert group:

1. To examine restructuring of School Education from class I to X.
2. To examine the various issues involving quality of education in the State.
3. The expert group shall submit their report to the Planning Board Sub-Committee on Human Resource Development within three months of its constitution. In case it is not possible to submit the report within the stipulated time the expert group shall seek extension of time limit from the Chairman of the Planning Board.

Each non-official member will be paid a sitting fee of Rs. 200/- per day for attending the expert group meeting or for attending to any other work specifically assigned to him by the expert group.

The Director, Planning, Statistics and Evaluation as Member Secretary of the planning Board shall co-ordinate the meeting of the expert group.

By order and in the name of the Governor of Goa.

G. S. Zuarkar, Under Secretary (Budget).

Panaji, 29th March, 1996.

Order

No. 4-1-96/PLG

Read: Government Order No. 4/10/81-PLG (Vol. III) dated 29th March, 1996.

Shri S. S. Kolvekar, presently officiating as Joint Director in the Directorate of Planning, Statistics & Evaluation, is hereby transferred and posted as Joint Director on ad hoc basis against the post created vide Government Order cited above until a suitable candidate is selected by the Goa Public Service Commission, Panaji.

By order and in the name of the Governor of Goa.

G. S. Zuarkar, Under Secretary (Budget).

Panaji, 12th April, 1996.

Department of Revenue

Notificação

No. 22/68/95-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of Quinvelim, Miranda, Zopibath, Dheylibhat, Naran pai, Modiwado road at Sarzora in a length of 2.5 Kms. (Addl. Area).

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector, appointed under paragraph 4 below, after the date of the publication of this notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S. D. O., Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S. D. O. Margao.
3. The Executive Engineer, Division VI (Roads-South), P. W. D., Fatorda, Margao.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector/S. D. O., Margao for a period of 30 days from the date of publication of this Notification in Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Sarzora	
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.	
1.	2	3	
130/1 part	O: Esteleta Barreto.	325	
"/2 "	O: 1. Gilemin Dias. 2. Elwin Barreto. 3. Joaquim S. Fernandes. 4. Silvan Albertin Fernandes.	400	
"/3 "	O: Comunidade.	50	
"/5 "	O: 1. Domingo Xavier S. Fernandes. 2. John E. Fernandes.	400	
"/10 "	O: Comunidade.	50	
"/6 "	O: Peter Mascarenhas.	150	

SCHEDULE

(Description of the said land)

Taluka: Quepem

Village: Cacora

Boundaries:

North: S. No. 130/1, 2, 130/3,
5, 10, 6.South: S. No. 130/1, 7, 130/8,
5, 10, 6.

East: Road.

West: S. No. 128/4.

Total 1375

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Revenue).

Panaji, 16th January, 1996.

Notification

No. 22/81/95-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule appended hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Development of parking place and expansion of existing Municipal Garden at Curchorem in Quepem Taluka.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act"), that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector (LA), Collectorate of South Goa, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land:

1. The Collector, South Goa District, Margao.
2. Dy. Collector (LA), Collectorate of South Goa, Margao.
3. Chief Officer, Curchorem-Cacora Municipal Council, Curchorem.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector (LA), Collectorate of South Goa, Margao for a period of 30 days from the date of publication of this Notification in Official Gazette.

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
190/0	1) Sarvottam Venkatesh Sinai Curchorcar. T: Kushali Babal Naik. 2) Manguesh Vinayak Sinai Curchorcar. 3) Devidas Pandurang Sinai Curchorcar. 4) Hari Purshottam Sinai Curchorcar.	1019
191/0	1) Devidas Pandurang Sinai Curchorcar. T: Kushali Babal Naik. 2) Sarvottam Venkatesh Sinai Curchorcar. 3) Manguesh Vinayak Sinai Curchorcar. 4) Hari Purshottam Sinai Curchorcar.	513
192/1	1) Lavu Raghuvir Sinai Curchorcar. T: Nunusso Venktu Naik.	556
"/2	1) Vaikunth Ladko Sinai Curchorcar. T: Gokul Yeshwant Naik. 2) Janardhan Raghuvir Sinai Curchorcar. 3) Sarvottam Venkatesh Sinai Curchorcar. 4) Manguesh Vinayak Sinai Curchorcar.	194
"/3	1) Uday Ganesh Sinai Curchorcar. T: Surya Sazu Naik.	138
"/4	1) Dhondu Ladko Sinai Curchorcar. T: Putu Vasu Naik. 2) Sarvottam Venkatesh Sinai Curchorcar. 3) Manguesh Vinayak Sinai Curchorcar. 4) Uday Ganesh Sinai Curchorcar.	131
"/5	1) Ramchandra Dattaram Sinai Curchorcar. T: Babal Dharma Naik.	106
"/6	1) Janardhan Raghuvir Sinai Curchorcar. T: Putu Khapru Vast.	113
"/7	1) Uday Ganesh Sinai Curchorcar. T: Surya Sazu Naik.	306
"/8	1) Ramchandra Dattaram Sinai Curchorcar. T: Babal Dharma Naik.	325
"/9	1) Uday Ganesh Sinai Curchorcar. T: Putu Vasu Naik. 2) Devidas Pandurang Sinai Curchorcar. 3) Sarvottam Venkatesh Sinai Curchorcar. 4) Manguesh Vinayak Sinai Curchorcar.	331
"/10	1) Janardhan Raghuvir Sinai Curchorcar. T: Putu Khapru Vast.	319
"/11	1) Lavu Raghuvir Sinai Curchorcar. T: Nunusso Venktu Naik.	688
"/12	1) Uday Ganesh Sinai Curchorcar. T: Putu Vasu Naik. 2) Devidas Pandurang Sinai Curchorcar. 3) Sarvottam Venkatesh Sinai Curchorcar. 4) Manguesh Vinayak Sinai Curchorcar.	875
"/13	1) Janardhan Raghuvir Sinai Curchorcar. T: Putu Khapru Vast.	788
"/14	1) Uday Ganesh Sinai Curchorcar. T: Surya Sazu Naik.	869
"/15	1) Vaikunth Ladko Sinai Curchorcar. T: Gokul Yeshwant Naik. 2) Janardhan Sinai Curchorcar. 3) Sarvottam Sinai Curchorcar. 4) Manguesh Vinayak Sinai Curchorcar.	256

1	2	3
193/1	1) Vaikunth Ladko Sinai Curchorcar. T: Gokul Yeshwant Naik.	956
	2) Janardhan Raghuvir Sinai Curchorcar.	
	3) Sarvottam Venktesh Sinai Curchorcar.	
	4) Manguesh Vinayak Sinai Curchorcar.	
"/2	1) Lavu Raghuvir Sinai Curchorcar. T: Babal Dharmu Naik.	894
	2) Ramchandra Dattaram Sinai Curchorcar.	
"/3	1) Lavu Raghuvir Sinai Curchorcar. Nonusso Venktu Naik.	975
"/4	1) Uday Ganesh Sinai Curchorcar. T: Putu Vasu Naik.	950
	2) Devidas Pandurang Sinai Curchorcar.	
	3) Sarvottam Venkatesh Sinai Curchorcar.	
	4) Manguesh Vinayak Sinai Curchorcar.	
"/5	1) Janardhan Raghuvir Sinai Curchorcar. T: Putu Khapru Vast.	969
"/6	1) Vaikunth Ladko Sinai Curchorcar. T: Gokul Yeshwant Naik.	981
	2) Janardhan Raghuvir Sinai Curchorcar.	
	3) Sarvottam Venkatesh Sinai Curchorcar.	
	4) Manguesh Vinayak Sinai Curchorcar.	
"/7	Uday Ganesh Sinai Curchorcar. T: Surya Sazu Naik.	981
"/8	1) Prabhakar Dattaram S. Kudchadker. T: Babal Dattaram Naik.	1288
	2) Shantu Dattaram S. Kudchadker.	
	3) Ramchandra Dattaram Sinai Curchorcar.	
"/9	1) Janardhan Raghuvir Sinai Curchorcar. Putu Khapru Vast.	169
"/10	1) Uday Ganesh Sinai Curchorcar. Surya Sazu Naik.	94
"/11	1) Uday Ganesh Sinai Curchorcar. T: Putu Vasu Naik.	113
	2) Devidas Pandurang Sinai Curchorcar.	
	3) Sarvottam Venkatesh Sinai Curchorcar.	
	4) Manguesh Vinayak Sinai Curchorcar.	
"/12	1) Vaikunth Ladko Sinai Curchorcar. T: Gokul Yeshwant Naik.	113
	2) Janardhan Raghuvir Sinai Curchorcar.	
	3) Sarvottam Venkatesh S. Curchorcar.	
	4) Manguesh Vinayak S. Curchorcar.	
"/13	1) Lavu Raghuvir Sinai Curchorcar. T: Nonusso Venktu Naik.	231
"/14	1) Lavu Raghuvir Sinai Curchorcar.	56

1	2	3
<i>Boundaries:</i>		
North: Nala, S. No. 189/2.		
South: Nala.		
East: S. No. 104/1 & 2.		
West: Road.		
Total		16297

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Revenue).

Panaji, 16th October, 1995.

Department of Science & Technology

Order

No. 25-1-92-GA&C/STE(Part) II/353

Sanction of the Government is hereby accorded for the creation of the following posts in the Directorate of Science, Technology & Environment, with immediate effect and upto 28th February, 1997.

Sr. No.	Name of the post	Scale of Pay	No. of posts created
1.	Accountant	1600-2660	1
2.	Library Assistant	1200-2040	1
3.	U. D. C.	1200-2040	1
4.	L. D. C.	950-1500	1
5.	Driver	950-1500	1
6.	Peon	750-940	1

The expenditure is debitable to the Budget Head: "3425-Other Scientific Research, 60-Others, 800-Other Expenditure, 01-Sponsored Science and Technology Programme (Plan), 01-Salaries".

This issues with the concurrence of Finance Department, vide their U. O. No. Fin(R&C)/3759/95 dated 18-10-95.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Jt. Secretary (STE).

Panaji, 8th April, 1996.